

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Karen M. Chambers,

Civ. No. 08-5947 (JMR/JJK)

Plaintiff,

v.

ORDER

The Travelers Companies, Inc.,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated March 11, 2009. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, on all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Defendant's Motion for Partial Dismissal (Doc. No. 16) is **GRANTED IN PART WITHOUT PREJUDICE** and **DENIED IN PART** as follows:

a. Defendant's motion to dismiss Plaintiff's claim for breach of contract (Count II) is **DENIED**;

b. Defendant's motion to dismiss Plaintiff's claim for violation of Minn. Stat. § 181.13 (Count III) is **DENIED**; and

c. Defendant's motion to dismiss Plaintiff's claim for defamation (Count I) is **GRANTED IN PART WITHOUT PREJUDICE**. Plaintiff is given 10 days from the date of this Order to amend Count I of the Second Amended Complaint to set forth a

claim for defamation with greater specificity as outlined in Part III.B. of the Report and Recommendation.

Date: March 30, 2009

s/James M. Rosenbaum
James M. Rosenbaum
United States District Judge